

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 CR 928	DATE	10/18/2004
CASE TITLE	USA vs. Ryan Evans		

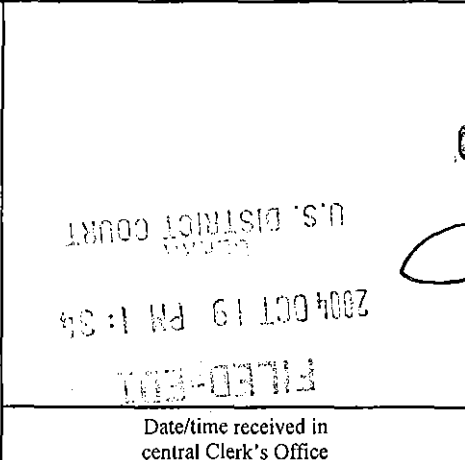
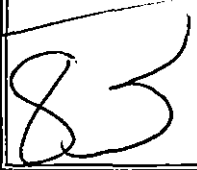
[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry] Enter Memorandum Order. Defendant Evans' motions for a new trial and for judgment of acquittal pursuant to Fed. R. Crim. P. 29(c) are denied. (83-1, 84-1)
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.		number of notices	
<input type="checkbox"/>	No notices required.		OCT 19 2004 date docketed	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.		docketing deputy initials	
<input type="checkbox"/>	Notified counsel by telephone.		10/19/2004 date mailed notice	
<input type="checkbox"/>	Docketing to mail notices.		SN	
<input type="checkbox"/>	Mail AO 450 form.		mailing deputy initials	
<input type="checkbox"/>	Copy to judge/magistrate judge.			
SN	courtroom deputy's initials	Date/time received in central Clerk's Office		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN EVANS,

Defendant.

No. 03 CR 928

DOCKETED
OCT 19 2004

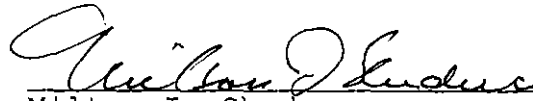
MEMORANDUM ORDER

Federal Defender Program staff attorney John Murphy has filed, on behalf of recently convicted defendant Ryan Evans ("Evans"), a motion for a judgment of acquittal pursuant to Fed. R. Crim. P. ("Rule") 29(c) and a concurrent motion for a new trial pursuant to Rule 33. Evans' conviction came in his second trial on seven counts that stemmed from his having traded in four publicly-owned stocks (three of which were involved in tender offers) as the tippee of confidential information--at the first trial, although he was acquitted on a count charging conspiracy with the tipper, he dodged the bullet on the seven substantive counts (with the jurors having indicated that they were 11 to 1 for conviction on those seven charges).

All of the matters raised by Evans' two motions appear to be essentially restatements of issues that were raised during the course of trial and were resolved by this Court adversely to

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Evans' position.¹ In all events, this Court finds the contentions advanced on Evans' behalf to be without merit. Both motions are denied.



Milton I. Shadur
Senior United States District Judge

Date: October 18, 2004

¹ If government counsel believe that any issue or issues was or were not raised during the trial, so as to be legally forfeited, they should file a response so indicating promptly. In that event this Court will take a fresh look at any issue so identified.